

SUPREME COURT OF ILLINOIS

MONDAY, MARCH 21, 2011

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.24188 - In re: Gregory James Silverman. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Gregory James Silverman is suspended from the practice of law for sixty (60) days and until he successfully completes the professionalism seminar of the Illinois Institute of Professional Responsibility.

Suspension effective April 11, 2011.

Respondent Gregory James Silverman shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24323 - In re: Steven Lee Popuch. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is allowed. Respondent is suspended from the practice of law for twelve (12) months.

Suspension effective April 11, 2011.

Respondent Steven Lee Popuch shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24330 - In re: J. Christopher Murray. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent J. Christopher Murray is suspended from the practice of law for three (3) months and until further order of the Court.

Order entered by the Court.

M.R.24359 - In re: Guy D. Geleerd, Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent is censured, as recommended by the Review Board.

Order entered by the Court.

M.R.24360 - In re: Scott Andrew Wineberg. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board that Scott Andrew Wineberg be censured is denied. Respondent Scott Andrew Wineberg is reprimanded.

Order entered by the Court.

M.R.24370 - In re: Michael Allen Unger. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Michael Allen Unger is suspended from the practice of law for ninety (90) days and until he makes restitution in the amount of \$4,500 to Jose Ortiz.

Suspension effective April 11, 2011.

Respondent Michael Allen Unger shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24382 - In re: James P. Regan. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is allowed. Respondent is suspended from the practice of law for ninety (90) days, with the suspension stayed in its entirety by a period of probation for one (1) year, subject to the following conditions:

1. Respondent shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

2. Respondent shall attend meetings as scheduled by the Commission probation officer. Respondent shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

3. Respondent shall, within the first thirty (30) days of probation, enroll in a law office management program sponsored by or through the Cook County, Chicago or other bar association and shall, upon enrollment, notify the Administrator, in writing, of the name of the attorney with whom respondent is assigned to work. Respondent shall successfully complete the law office management program at least thirty (30) days prior to the end of the probation term. Through respondent's participation in the law office management program, respondent shall establish and utilize the following:

- a. a system for maintaining records as required by Supreme Court Rule 769;

b. a diary and docketing system in accordance with the requirements established by the law office management program, including a mechanism by which approaching statutes of limitations and other deadlines are noted;

c. a system by which telephone messages are recorded and telephone calls are returned in a timely manner; and

d. a system by which written requests by clients for the status of their legal matters are responded to, either orally or in writing, in a timely manner.

4. Respondent shall authorize the attorney assigned to work with him in the law office management program to:

a. disclose to the Administrator on a quarterly basis, by way of signed reports, information pertaining to the nature of respondent's compliance with the law office management program and the above-described conditions;

b. promptly report to the Administrator respondent's failure to comply with any part of the above-described conditions; and

c. respond to any inquiries by the Administrator regarding respondent's compliance with the above-described conditions.

5. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

6. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct;

7. Respondent shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

8. Respondent shall notify the Administrator within fourteen (14) days of any change of address; and

9. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The ninety (90) day suspension shall commence from the date of the determination that any term of probation has been violated.

Order entered by the Court.

M.R.24389 - In re: Leroy Christopher Maye, Jr. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Leroy Christopher Maye, Jr. is suspended from the practice of law for six (6) months and until further order of the Court.

Order entered by the Court.

M.R.24395 - In re: William Allen Young. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent William Allen Young is suspended from the practice of law for two (2) years.

Suspension effective April 11, 2011.

Respondent William Allen Young shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

Garman, J., took no part.

M.R.24407 - In re: Andrea Leigh Worrell. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Andrea Leigh Worrell is suspended from the practice of law for one (1) year.

Suspension effective April 11, 2011.

Respondent Andrea Leigh Worrell shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24418 - In re: Troy Lee Gleason. Disciplinary Commission.

Petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Troy Lee Gleason is suspended from the practice of law for six (6) months and until he completes the Attorney Registration and Disciplinary Commission Professionalism Seminar.

Suspension effective April 11, 2011.

Respondent Troy Lee Gleason shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.24427 - In re: Ronald Sherman Samuels. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Ronald Sherman Samuels is suspended from the practice of law for one (1) year and until further order of the Court, with reinstatement further conditioned upon proof of payment of \$7,200 to Ethelene Taylor and \$1,200 to Willie Harris.

Order entered by the Court.

M.R.24428 - In re: Michael Samuel Froman. Disciplinary Commission.

Petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Michael Samuel Froman is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed after one (1) year by a period of probation for one (1) year, subject to the following conditions, with the conditions set forth in paragraphs (a) through (e) to begin immediately upon entry of this Court's order:

a. Respondent shall continue his course of treatment and engage in individual therapy with Alice White, or another qualified therapist acceptable to the Administrator, and shall report to Ms. White or such other qualified therapist on a regular basis of not less than once per month, with the Administrator advised of any change in attendance deemed warranted by such professional;

b. Respondent shall continue his course of treatment with Dr. Joshua Kellman, or another qualified psychiatrist acceptable to the Administrator, and shall report to that psychiatrist on a regular basis of not less than once per month, with the Administrator advised of any change in attendance deemed warranted by such professional;

c. Respondent shall comply with all treatment recommendations of his treating therapist and psychiatrist, including the taking of medications as prescribed;

d. Respondent shall provide to Dr. Kellman, and to Ms. White (or any other qualified psychiatrist and therapist acceptable to the Administrator), an appropriate release authorizing the treating professionals to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plans;

e. Respondent shall notify the Administrator within fourteen (14) days of any change in treatment professionals;

f. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

g. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

h. Respondent shall, within the first two (2) months of probation, enroll in a law office management program sponsored by or through the Cook County, Chicago or other Bar Association and shall, upon enrollment, notify the Administrator, in writing, of the name of the attorney with whom respondent is assigned to work. Respondent shall successfully complete the law office management program at least thirty (30) days prior to the end of the probation term. Through respondent's participation in the law office management program, respondent shall establish and utilize a system for the handling of funds belonging to clients and third parties that conforms to the requirements of Rule 1.15 of the Illinois Rules of Professional Conduct and instructions provided to respondent by the Administrator, including the following Trust Account Procedures:

Basic accounting records that must be maintained daily and accurately;

Account Check Register - list sequentially all trust account deposits and trust account checks and maintain a current and accurate daily balance on the trust account;

Account Receipts Journal - list chronologically all deposits into the trust account, each deposit to list the date of the deposit, the source of each deposit, the client matter, the deposit number and the amount of the deposit, and maintain a copy of each item deposited;

Account Disbursement Journal - list chronologically all trust account disbursements and identify each disbursement with the date of the disbursement check, the trust account check number, the payee, the purpose of the disbursement, the client matter and the amount of the disbursement check;

Client Ledger Journal - list chronologically for each client matter all receipts, disbursements and remaining balances, preparing a separate page for each client matter and listing chronologically all receipts and disbursements and remaining balances for each client matter;

Source documents which must be preserved for seven (7) years:

Bank statements;

Deposit slips;

Cancelled checks - all trust account checks must have a named payee (no checks written to "cash") and the memo portion of the check must contain a reference to a client matter;

Time and billing records; and

Copies of records from client files that are necessary for a full understanding of the lawyer's financial transactions with the client: e.g., retainer and engagement agreements; settlement statements to clients showing the disbursement of the settlement proceeds; bills sent to clients and records of payments to other lawyers or non-employees for services rendered.

Reconciliation - There must be a running balance maintained for all ledgers and account books, and the balances in the client ledger journal must be reconciled each month with the balances in the trust receipts and disbursement journals, the account checkbook register and the bank statements. Records of each reconciliation must be maintained for seven (7) years;

i. Respondent shall submit to an independent audit of his client trust account, conducted by an auditor approved by the Administrator, at respondent's expense, two (2) months after the commencement of probation. Respondent and the Administrator shall each receive copies of the audit; and

j. Probation shall be revoked if respondent is found to have violated any of the terms of probation described in subparagraphs (a) through (i), above, and respondent's suspension for two (2) years and until further order of the Court shall commence on the date his probation is revoked.

Suspension effective April 11, 2011.

Respondent Michael Samuel Froman shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.24439 - In re: Maurice Joseph Barry, Jr. Disciplinary Commission.

The petition by respondent Maurice Joseph Barry, Jr. for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent is suspended from the practice of law for one (1) year, as recommended by the Review Board.

Suspension effective April 11, 2011.

Respondent Maurice Joseph Barry, Jr. shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Marie A. Durbin is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed after five (5) months by a two (2) year period of probation, subject to the following conditions:

a. Respondent shall continue to see Dr. Stotler at least every four (4) months and follow all prescribed treatment of Dr. Stotler or such other psychiatrist agreed to by the Administrator, with the Administrator advised of any change in attendance deemed warranted by the psychiatrist;

b. Respondent shall abstain from alcohol and all other nonprescribed mood-altering substances;

c. Respondent shall provide to her treating mental health professionals an appropriate release authorizing the treating professionals to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plans;

d. Respondent shall notify the Administrator within fourteen (14) days of any change in treatment professionals;

e. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the status of her practice of law and the nature and extent of her compliance with the conditions of probation;

f. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigation relating to her conduct;

g. Respondent shall reimburse the Commission the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation; and

h. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The two (2) year suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court.

Suspension effective April 11, 2011.

Respondent Marie A. Durbin shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.